

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Doherty et al.

Serial No. To be Assigned

Filed:

For: Ophthalmic Compositions for Treating Ocular Hypertension

Art Unit: To be Assigned

Examiner: To be Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

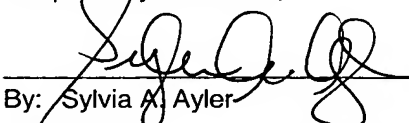
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,


 By: Sylvia A. Ayler
 Attorney For Applicant(s)

Reg. No. 36,436

MERCK & CO., INC.

Patent Dept., RY60-30

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Date: April 8, 2005

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETION OF KNOWN		
			Application Number	To be Assigned 10/530840	
			Filing Date		
			First Named Inventor	Doherty et al.	
			Group Art Unit	To be Assigned	
			Examiner Name	To be Assigned	
Sheet	2	of	2	Attorney Docket Number	21260YP

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	19.	S. R. Moore et al., "Development and Aging of Cell Topography in the Human Retinal Pigment Epithelium", 1997, pp. 2016-2026, Vol. 38, No. 10, Investigative Ophthalmology & Visual Science.
	20.	E. L. Eliel et al., "Chirality in Molecules Devoid of Chiral Centers", 1994, pp. 1119-1190, Stereochemistry of Organic Compounds.
	21.	S. M. Berge et al., "Pharmaceutical Salts", 1977, pp. 1-19, Vol. 66, No. 1, J. of Pharmaceutical Sciences.
	22.	H. Eto et al., "New Antifungal 1,2,4-Triazoles with Difluoro (heteroaryl)methyl Moiety", 2000, pp. 982-990, Vol. 48, No. 7, Pharmaceutical Society of Japan.
	23.	Smith et al., "Carbonylation of Various Organolithium Reagents. A Novel Approach to Heterocycles via Intramolecular Trapping of Aromatic Acyllithiums", 1999, pp. 2299-2303, J. Chem. Soc. Perkin Trans I.
	24.	F. Piozzi et al., "Azione dell'acido Nitroso su Alcuni Alchilindoli: Una Nuova Sintesi Indazolica.", 1959, pp. 638-653, Vol. 89, Gazz. Chim ital.
	25.	M. Hanner et al., "the Beta Subunit of the High Conductance Calcium-Activated Potassium Channel", 1998, pp. 16289-16296, Vol. 273, No. 26, J. of Biological Chemistry.
	26.	P. M. Vassallo et al., "Expression of Na, K-ATPase Alpha Subunit Isoforms in the Human Ciliary Body and Cultured Ciliary Epithelial Cells", 1989, Vol. 141, pp. 243-252, J. of Cellular Physiology.

Examiner Signature		Date Considered	
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